

Message

Sent: 2/20/2019 4:16:19 PM
To: Scott - CDA, John [johnw.scott@state.co.us]
Subject: RE: Loss of Primacy - Question

Hi John –

State pesticide registration is separate from pesticide enforcement and C&T. EPA delegates enforcement & C&T programs to the states but not registration. States have their own pesticide registration programs, covered under their own laws. Registrants must first get a federal registration from EPA, then work with each state that they want to sell the product in to get state registrations. So...loss of primacy for enforcement & C&T would not affect CDA's pesticide registration program.

From: Scott - CDA, John <johnw.scott@state.co.us>
Sent: Wednesday, February 20, 2019 8:31 AM
To: Perreault, Peg <Perreault.Peg@epa.gov>
Subject: Loss of Primacy - Question

Hi Peg,

Hey...I have a meeting with the Commissioner at 10 am this morning. I can't find in FIFRA where if the state loses primacy, that we also lost the ability to register pesticides. Section 24 is the only section that I see that addresses authority of states to regulate the sale and use and it doesn't appear to tie it to primacy over use. Can you help with this if there is a provision that effects distribution and registration by the state? Thanks!

John W. Scott
Pesticides Program Manager, Section Chief



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